



From the Director of the Department of Health Professions . . .

In May 1999, the Department of Health Professions (DHP) announced that beginning on July 1, 1999, all veterinary hospital/facility inspections would be unannounced. This change in procedure was the result of several circumstances. Those circumstances included: a report released by the Joint Legislative Audit and Review Commission of the Virginia General Assembly which was critical of our former inspection procedures; a prolonged backlog of inspections dating back to 1993; and to bring all DHP inspections into conformity.

I am happy to report that during the first four months of the new schedule our inspections of veterinary facilities is up 58 percent over the same period a year ago, without additional manpower. Much of this success is due to the cooperation and help of you folks, our licensees.

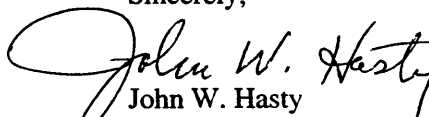
There are a couple of things that I want to share with you that will help make the change a continuing success. First, all of our inspectors will cooperate with you if upon their arrival at your facility you have an emergency, or you are in surgery, or have other extenuating circumstances, they will work with you to schedule a more convenient time for the inspection.

The inspectors are a good source of information about inspections issues and can either answer your questions themselves or direct you to where you can get the answers. Remember, they are at your facility for only two hours (average) every three years, so utilize that time for the exchange of information. Also, as always, the Board office is at your disposal for matters relating to interpretation of statutes and regulations and other Board policy issues.

I want to thank everyone for your cooperation and assistance during this change in procedure. Change always breeds anxiety, but we want this change to be smooth and non-threatening and our inspectors have been instructed to work with you to accomplish this goal.

Should you have any questions, please feel free to contact your Board office at (804) 662-9915 or you may contact me at (804) 662-9900.

Sincerely,


John W. Hasty
Director

The Board Office is There to Help

The Board's office staff is there to provide assistance regarding the licensure and discipline of the Board's over 3,800 licensed veterinarians, veterinary technicians, animal facilities, and applicants. It also supports the Board's policy functions such as the development and dissemination of information related to the statutes, regulations, guidelines, and the Board's historical and most current interpretations of the statutes and regulations.

If you have any question related to the Board's functions, please do not hesitate to contact us. We are here to help. You may reach us by mail at the following address:

Virginia Board of Veterinary Medicine
6606 W. Broad Street
Richmond, VA 23230-1717
(804) 662-9915
e-mail: tbehr@dhp.state.va.us

Reminder about Drug Destruction Procedures

Please remember that Schedule II through V controlled substances may only be destroyed by following the instructions contained in the most recent drug destruction packet available from the Board office. It provides the latest U.S. Drug Enforcement Administration approved drug destruction guidelines. A packet may be obtained by contacting the Board office at (804) 662-9915, e-mailing at tbehr@dhp.state.va.us, or mailing your request to the office at 6606 W. Broad Street, Richmond, VA 23230-1717.

Rescheduling of Ketamine

As of August 12, 1999, Ketamine has been reclassified from a Schedule VI to a Schedule III controlled substance. As such, all of the regulatory provisions for Schedule III drug recordkeeping and security apply. If you have any questions, please contact the Board office.

Calendar for 2000

February 2	Board Meeting
February 3	Informal Conferences
April 11	Informal Conferences
May 9	Board Meeting
May 10	Informal Conferences
July 11	Informal Conferences
August 22	Board Meeting
August 23	Informal Conferences
October 24	Board Meeting
October 25	Informal Conferences
December 5	Informal Conferences

Contact the Board office for specific times and locations.

Continuing Education

The renewal date for all licenses is March 1 of each year. One of the chief requirements for veterinary and veterinary technician licensure renewal is obtaining approved continuing education. All continuing education to be applied to licensure renewal must be obtained between March 1 and the last day of February unless an exemption or extension has been granted by the Board following the provisions of §18 VAC 150-20-60 of the *Regulations Governing the Practice of Veterinary Medicine*.

Your Board Members

Lewis N. Springer, DVM (President) (1st term expires June 30, 2000)
Andrew F. Horner, DVM (Vice-President) (1st term expires June 30, 2001)
Patricia Jones-Jackson (Secretary-Treasurer & Citizen) (2nd term expires June 30, 2003)
Jennifer Alden-Tassin, LVT (Immediate Past-President) (2nd term expires June 30, 2003)
Eugene E. Musselman, DVM (2nd term expires June 30, 2003)
Randy F. Pinkleton, DVM (2nd term expires June 30, 2002)
William A. Truban, VMD (2nd term expires June 30, 2000)

The Board wishes to thank Jennifer Alden-Tassin, LVT for her contributions as Board President for 1999. She is the first licensed veterinary technician to serve on a veterinary board and serve as its president.

Veterinary Facilities Cannot Act as Pharmacies

Questions about whether one veterinary facility can "fill prescriptions" for a patient seen by a veterinarian at another facility often arise. The answer is "no." There is no provision in Virginia law which allows for veterinary facilities or any other establishment not duly licensed by the Board of Pharmacy to dispense controlled substances to fill a prescription.

Veterinarians are allowed to prescribe, administer, and dispense controlled substances in keeping with the requirements of the *Virginia Drug Control Act*, specifically §54.1-3409 of the *Code of Virginia*, and the statutes and regulations governing the practice of veterinary medicine. A valid veterinarian-client-patient relationship must first exist before drugs can be dispensed by a veterinary facility to their own patients.

Disciplinary Cases

Since the January 1999 edition of the newsletter, the Board has closed over 100 cases. The following cases involved with findings of violation or has taken action pursuant to existing discipline.

Carolyn J. Allman, DVM - Galax - By Order entered December 8, 1997, Dr. Allman's license to practice veterinary medicine in the Commonwealth of Virginia was placed on probation for not less than one (1) year subject to certain terms and conditions based upon the diversion of

scheduled controlled substances from Blackstone Animal Hospital ("Blackstone"), Blackstone, Virginia, where she was Veterinarian-in-Charge. While at Blackstone, on or about March 23, 1998, during the course of her treatment of Buster, a canine, Dr. Allman failed to maintain an adequate and complete medical record on the patient.

On or about July 13, 1998, during the investigation of the current matter, an informal inspection of Blackstone by an Investigator with the Department of Health Professions revealed: Dr. Allman failed to complete forty-two (42) patient records following treatment she provided. A combined total of thirty-three (33) bottles of 10cc Ketaset and 10 ml Ketaved Injection (Schedule VI controlled substances) had been ordered with invoice dates of March 2, May 27, June 4, and June 30, 1998.

Dr. Allman represented that at the time of the entry of the Order on December 8, 1997, her intent was to comply; however, she did not comply with the terms and conditions of the Order

On or about July 8, 1998, Dr. Allman voluntarily entered the Health Practitioners' Intervention Program ("HPIP"). Her Virginia Monitoring Case Manager reported that, to date, Dr. Allman is in compliance with all of the terms and conditions of her five (5) year monitoring contract.

Dr. Allman successfully completed treatment and has demonstrated a commitment to maintaining a sober lifestyle and actively participates in the group process.

Dr. Allman reported that she attends approximately five (5) to six (6) Alcoholics Anonymous ("AA") meetings per week in addition to one (1) Caduceus meeting per week.

Dr. Allman is currently employed where she practices three (3) days a week, thirty (30) hours per week. Her employer reported that she has been punctual, thorough in her work-ups, very good with clients and has "fit" in well with the other doctors. He also reported that Dr. Allman was "up front" with him during her interview regarding the status of her license with the Board and her recovery program

Dr. Allman submitted numerous letters of support from her sponsors and AA and Caduceus participants.

Dr. Allman reports a sobriety date of July 1, 1998.

SANCTION: Probation is terminated; license is suspended with suspension stayed subject to compliance with HPIP contract and notification to the Board of any employment changes, or interruption in her practice of veterinary medicine. Also contingent upon providing all current and future employers with copy of this Order.

Lyn M. Averitt, DVM - Toano - During the course of treatment of a canine, Dr. Averitt provided substandard care. Specifically on or about October 22, 1998, following a dental prophylaxis that she performed, Dr. Averitt left the patient with an endotracheal tube in place, unsupervised, in a second tier unlocked kennel for recovery. The patient subsequently fell 4 feet from the kennel and bit off approximately 1 to 1 1/2 inches of the tube. Dr. Averitt examined the patient, to include a radiograph of the throat and chest only, in an effort to locate the missing portion of the tube. Results of the radiograph were negative. Believing the portion of the tube was in the patient's stomach, she released the patient to the client with instructions to watch for the passing of the tube in the stool and for symptoms of vomiting and loss of appetite. On or about October 30, 1998, the patient was presented to another veterinarian not associated with Dr. Averitt's practice where a radiograph of the entire body was taken revealing approximately 1 1/2 inches of the tube lodged in the stomach. On the same date, a referral was made and the tube retrieved by another veterinarian not associated with Dr. Averitt's practice.

SANCTION: Reprimand; \$250 fine.

Sheri L. Sheri L. Bakerian , VMD - Fredericksburg - Failed to submit proof of completion of nine of the required 15 hours of veterinary continuing education between March 1, 1997 and February 28, 1998 for 1998 licensure renewal.

SANCTION: Reprimand; \$100 fine; corrective action.

Barbara G. Byrne, DVM - Lowry - Dr. Byrne was Veterinarian-in-Charge at Byrne Veterinary Service, P.C. ("Byrne") in Lowry, Virginia. An inspection of Byrne conducted on or about November 9, 1998 by an Inspector with the Department of Health Professions revealed the following deficiencies: Staffing hours were not posted upon the Inspector's arrival for the inspection, but were subsequently posted. One radiograph reviewed revealed that the date of the radiograph was cut off of the identification label. The Biennial Inventory of controlled substances was not signed. A discrepancy was found in the amount of medication administered and documented in a patient record and that documented in the Distribution Record. Schedule II through V controlled substance invoices were not maintained in chronological order.

SANCTION: \$100 Fine.

Terri A. Champney, DVM - Purcellville - Between March 1, 1998 and February 28, 1999, Dr. Champney failed to submit proof of completion of the fifteen (15) veterinary medicine continuing education hours required for the 1999 renewal of her veterinary medicine license.

SANCTION: Reprimand; \$100 fine; corrective action.

Kit D. Charbonneau, DVM - Midlothian - Dr. Charbonneau was Veterinarian-in-Charge at Pet Care and Comforts, Richmond and Midlothian, Virginia. On or about April 15, 1999, an unannounced inspection revealed the following deficiencies: The facility license was not displayed in public view and had expired. The licenses of two (2) veterinarians practicing at the facility were not on the premise. The license of a practicing veterinarian at the facility was not posted. Radiographs were not consistently labeled with the identity of the patient, date of exposure or orientation. The current computer system prints only Dr. Charbonneau's name on all dispensing labels. The prescribing veterinarian's name does not appear on the label. The Distribution Log does not consistently indicate the medication strength. The biennial inventory had not been performed. The required *Code of Virginia §54.1-3806* disclosure form contains information in addition to the days and hours of continuous medical care. Dr. Lyon's continuing education certificates were not maintained on the premises.

On or about April 15, 1999, an unannounced inspection of the Pet Care and Comforts in Midlothian revealed: Dr. Charbonneau's license and the facility license was not displayed in public view and had expired. Three (3) of five (5) animals in the facility did not have identification on their cages. A refrigerator used for medication storage did not have a thermometer. Radiographs did not consistently indicate orientation. The Distribution Log does not consistently indicate the medication strength. The required *Code of Virginia §54.1-3806* disclosure form contains information in addition to the days and hours of continuous medical care. Dr. Charbonneau's continuing education certificates were not maintained on the premises.

SANCTION: Reprimand; \$300 reinspection fees; \$500 fine; \$200 facility license reinstatement fees.

Sharon P. Coleman, DVM - Roanoke - By letter dated April 8, 1999, Dr. Coleman petitioned the Board for the reinstatement of her license. Dr. Coleman has complied with all terms and conditions placed upon her license pursuant to the Order entered April 8, 1997, the Order entered November 5, 1997, and the Consent Order entered October 27, 1998.

ORDER: License reinstated without restriction.

Patricia A. Conner, LVT - Fredericksburg - Failed to submit proof of the required six hours of continuing education for the March 1, 1998 February 1999 period for 1999 licensure renewal.
SANCTION: Reprimand; \$50 fine.

Deonna S. Donohue, LVT - Greensboro, North Carolina - Failed to submit proof of the required six hours of continuing education for the March 1, 1998 February 1999 period for 1999 licensure renewal.
SANCTION: Reprimand; \$50 fine; corrective action.

Kelly A. Malloy Farrell, DVM - Roanoke - Failed to submit proof of completion of the required 15 hours of veterinary continuing education between March 1, 1997 and February 28, 1998 for 1998 licensure renewal.
SANCTION: Reprimand; \$100 fine; corrective action.

Allison C. Fennell, DVM - Washington, DC - On or about December 24, 1998, during the course of treatment of a canine, Dr. Fennell provided substandard and negligent care. Specifically, by her own admission, after reviewing the results of the patient's pre-operative blood work which revealed a platlet count of 11,000, Dr. Fennell disregarded the results, dismissing them as an equipment error, and performed surgery to biopsy a mass on her patient's tongue. Consequently, the patient bled profusely during the surgical procedure and post-operatively with subcutaneous hemorrhages noted under the neck and on the right flank. The patient was subsequently referred to an emergency clinic where blood transfusions and follow-up care were provided.
SANCTION: Reprimanded; \$200 fine.

Donald S. Fincher, DVM - Galax - On or about March 2, 1999, a routine inspection revealed the following deficiencies at Galax Veterinary Clinic where Dr. Fincher is Veterinarian-in-Charge: A posted license of a veterinarian associated with the practice had expired. Automatic emergency lighting was not available in the Surgery Suite. Radiograph labels were not permanently imprinted. Lead gloves were not available. Torbutol tablets (a Schedule VI controlled substance) was maintained on open shelves within the facility. The Controlled Drug Distribution Log did not consistently indicate the amount of medication dispensed or wasted or disclose the identity of the authorizing veterinarian. The Biennial Inventory was not signed. The required disclosure form pursuant to *Code of Virginia* §54.1-3806.1 was not consistently used. Documentation of continuing education for both veterinarians practicing at the facility were not maintained on the premises. The facility did not maintain a Distribution Record for the dispensing of Phenobarb 1 gr (Schedule IV controlled substance). Expired controlled substances were found in the working stock of medications. A temperature of 30° F was recorded in the Drug Storage Area refrigerator. On or about June 26, 1991, a routine inspection revealed the following deficiencies: Expired controlled substances were found in the working stock of medications. The Biennial Inventory was not signed. The Controlled Drug Distribution Record was incomplete, in that it did not consistently identify the strength of medications. The portable automatic emergency light was not maintained in the Surgery Suite.
SANCTION: \$500 fine.

Daniel V. Flynn - Charlottesville - An inspection of Georgetown Veterinary Hospital of which Dr. Flynn is the Veterinarian-in-Charge revealed the following deficiencies: The Biennial

Inventory was unavailable for inspection. Disclosure forms pursuant to *Code of Virginia* §54.1-3806.1 were not in use.

SANCTION: \$100 fine.

John D. Freed, DVM - Hampton - Submitted proof of only 8 of the total 15 hours of required veterinary continuing education for March 1, 1998 to February 29, 1999 for the 1999 licensure renewal.

SANCTION: Reprimand; \$100 fine.

Ashlie N. Hancock, DVM - Chesapeake - Submitted proof of only 2 of the total 15 hours of required veterinary continuing education for March 1, 1998 to February 29, 1999 for the 1999 licensure renewal.

SANCTION: Reprimand; \$100 fine.

Laura J. Kibler, LVT - Norfolk - Failed to submit proof of the required 6 hours of required veterinary technology continuing education for March 1, 1998 to February 29, 1999 for the 1999 licensure renewal.

SANCTION: Reprimand; \$50 fine.

Stephen M. Lawson, DVM - Beckley, WV - Dr. Lawson has complied with the terms and conditions of his Order entered November 5, 1997.

ORDER: Said terms and conditions were terminated January 4, 1999.

Eydie L. Maley, LVT - Gloucester - Failed to submit proof of the required 6 hours of required veterinary technology continuing education for March 1, 1998 to February 29, 1999 for the 1999 licensure renewal.

SANCTION: Reprimand; \$50 fine.

Angela J. Mattson, LVT - Charlotte, NC - Failed to submit proof of the required 6 hours of required veterinary technology continuing education for March 1, 1998 to February 29, 1999 for the 1999 licensure renewal.

SANCTION: Reprimand; \$50 fine.

Henry McKelvin, DVM - Hampton - Failed to obtain the required 15 hours of veterinary medicine continuing education required for the 1999 renewal of his veterinary medicine license.

SANCTION: Reprimand; \$100 fine.

Lisa K. Molidor, DVM - Virginia Beach - Submitted proof of completion of only 13 of the 15 hours of veterinary medicine continuing education required for the 1998 renewal of her veterinary medicine license.

SANCTION: Reprimand; \$100 fine.

Robert S. Mouser, DVM - Scottsville - By his own admission, Dr. Mouser practiced veterinary medicine and provided services to the public from a veterinary facility not registered with the Board and/or from his home. During an interview, Dr. Mouser admitted to examining, diagnosing and treating patients to include performing surgery and providing medication. On or about January 25, 1999, the Investigator for the Department of Health Professions noted that a number of Schedule II, III, and VI medications stored in unlocked cabinets and a refrigerator

were found during a walk through of the building that Dr. Mouser identified as his future veterinary facility.

SANCTION: Reprimand; \$250 fine; Unannounced inspection within six months; \$200 inspection fee.

Lisa M. Puscheck, DVM - Temple Hills, MD - By her own admission on or about August 18, 1998, during a live broadcast on WJFK 1300 AM, Fairfax, Virginia, and in a conference room of the radio station, Dr. Puscheck performed a neuter procedure on her patient, a canine, in a non-registered facility.

SANCTION: Reprimand; \$300 fine.

Nolan P. Rubin, DVM - Fairfax - On or about April 27, 1998, while Veterinarian-in-Charge at Montross Animal Health Center, Fairfax, Virginia, and during the course of treatment of a feline, Dr. Rubin was negligent in that, by his own admission, prior to commencing treatment and administering Depomedrol (a Schedule VI controlled substance), he failed to review the patient's Admissions Chart which indicated that the patient had experienced an adverse reaction to prednisone.

SANCTION: Reprimand; \$250 fine.

Nell B. Salter, DVM - Bedford - Dr. Salter was Veterinarian-in-Charge at Hardy Road Companion Animal Hospital in Vinton, Virginia. On or about December 31, 1998, Dr. Salter closed the facility but failed to provide the board with the required notification of the facility's closure and failed to provide the public and Hardy Road clientele adequate notice of the closure. In approximately March 1999, Dr. Salter placed a notice in a newspaper of general circulation in the Vinton, Virginia area, announcing the closure of Hardy Road and providing an address where patient records could be obtained.

SANCTION: Reprimand; \$300 fine.

Rebecca L. G. Verna, DVM - Haymarket - On or about April 6, 1998, Dr. Verna tested a canine for heartworms. Dr. Verna dispensed Incerceptor (Schedule VI controlled substance) with a recommendation for the client to continue the patient on the medication for a year. On or about October 24, 1998, Dr. Verna refused to issue a prescription for Interceptor upon the request of the client.

SANCTION: Reprimand; \$100 fine.

Nancy J. Voytosh, VMD - Round Hill - Failed to register with the Board of Equine Veterinary Services, an ambulatory equine practice, which she owned and operated from approximately January 1999 to June 1, 1999. Additionally, Dr. Voytosh placed an advertisement listing dated April 18, 1999. On or about June 1, 1999, an opening inspection of the facility conducted by an Inspector with the Department of Health Professions revealed that there were no exposure badges, and the prescription label did not include the address of the facility.

SANCTION: Reprimand; \$200 fine.

Kevin L. Willis, LVT - Chester - Failed to submit proof of the required 6 hours of required veterinary technology continuing education for March 1, 1998 to February 29, 1999 for the 1999 licensure renewal.

SANCTION: Reprimand; \$50 fine.

Sandra J. Willwerth, DVM - Gainesville - By Order of the Virginia Department of Health Professions entered October 31, 1997, the license of Dr. Willwerth to practice veterinary medicine in Virginia was mandatorily suspended pursuant to §54.1-2409 of the *Code of Virginia*, based on her conviction on June 25, 1997 and subsequent sentencing on September 25, 1997 in the Circuit Court of Fauquier, Virginia, for forgery of a public record, a felony. Dr. Willwerth was sentenced to five years incarceration with five years suspended and placed on two years supervised probation.

By Court Order entered February 22, 1999, Dr. Willwerth was released from supervised probation and placed on unsupervised probation. Her probation officer reports that Dr. Willwerth is compliant with the conditions of the court, and her probation terminated on September 22, 1999.

Dr. Willwerth reports that she has not engaged in the practice of veterinary medicine since approximately 1990; however, by her own testimony, she has provided veterinary treatment and care to her own pets.

Dr. Willwerth has not obtained continuing education credits since the suspension of her license.

Dr. Willwerth testified that another veterinarian authorized her to provide treatment to her own pets at his facility.

By application received on or about April 1, 1999, Dr. Willwerth petitioned the board for reinstatement.

ORDER: Upon submission by Dr. Willwerth to the Board of documentation that she has completed 30 hours of continuing education, not to include the 15 hours required for renewal of her license in February 2000, and upon payment of all required fees, the license of Dr. Willwerth to practice veterinary medicine shall be reinstated on indefinite probation subject to the following terms and conditions:

During the probation period, Dr. Willwerth may practice on her own animals. If she practices on animals other than her own, she may not be Veterinarian-in-Charge and must practice under direct supervision of a Board approved veterinarian. She must pay a \$500 fine. She may petition the Board for removal of the probationary terms after not less than 2 years of supervised practice of veterinary medicine.

Billy H. Wingfield, DVM - Petersburg - From approximately February 1997 to January 1998, during the course of his employment with VetsMart Health Centers, Richmond, Virginia, by his own admission, Dr. Wingfield permitted unlicensed veterinary assistants to administer vaccinations and perform venipuncture.

SANCTION: Reprimand; \$100 fine.

Kimberly A. Wolfe, LVT - Arlington - By Consent Order entered May 14, 1996, Ms. Wolfe's license as a veterinary technician was placed on certain terms and conditions based upon her practicing without a valid license. By her own admission, on two occasions, Ms. Wolfe failed to provide notification to the Board of her employment and failed to provide her employers with a copy of the Consent Order.

SANCTION: Reprimand; \$400 fine.

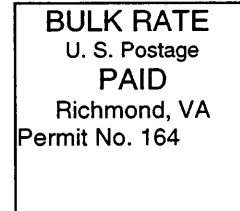
Gregory T. Wood, DVM - Virginia Beach - Failed to submit proof of the required 15 hours of veterinary medicine continuing education required for the 1999 renewal of his veterinary medicine license.

SANCTION: Reprimand; \$100 fine.

Micaela Zirkle, VMD - Alexandria - By her own admission on or about August 18, 1998, during a live broadcast on WJFK 1300 AM, Fairfax, Virginia, and in a conference room of the radio station, Dr. Puscheck performed a neuter procedure on her patient, a canine, in a non-registered facility.

SANCTION: Reprimand; \$300 fine.

Virginia Board of Veterinary Medicine
6606 West Broad Street, 4th Floor
Richmond, Virginia 23230-1717



Department of Health Professions